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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/107,524	06/30/1998	PAUL CHAMBERS	PHA-23.406	8175

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EXAMINER

NGUYEN, FRANCIS N

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 12/13/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.  
09/107,524

Applicant

PAUL CHAMBERS

Examiner

FRANCIS NGUYEN

Art Unit

2674



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Aug 6, 2001

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 23-26 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 23-26 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892) 18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20)  Other: \_\_\_\_\_

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## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on 8/06/2001 is entered.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 23-26 are rejected under U.S.C. 103(a) as being unpatentable over Sawada ( U.S. Patent 6,078,317 ) in view of Fujimoto ( U.S. Patent 5,912,710 ).

4. As to **claim 23**, Sawada discloses a method of enabling an image to be displayed on a display of a computer ( column 6, lines 17-41, **process flow chart** as shown in figure 5 ). Sawada fails to teach image being stored on a DVD. Fujimoto discloses processing system ( **image display control apparatus** 300 as shown in figure 1) of image stored on a DVD ( **DVD ROM drive** 101, column 5, lines 27-30) with 720x 480 image resolution ( column 8, lines 14-18) so as to have the monitor display the image with an image resolution of X x 480 and X is an integer being one of X

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substantially equals 800 and X substantially equals 852 ( **method of converting resolution shown in figure 15, final resolution is 848 x 480, integer X is 848**, column 8, lines 36-37 ). Note that Fujimoto also teaches image processing for aspect ratio 4:3 ( refer to figure 1, unit 300 ) and Sawada already discloses SVGA mode 800x600 ( which denotes aspect ratio 4:3). It would have been obvious to a person of ordinary skill at the time of the invention to utilize the method of Sawada and implement the image processing technique of converting resolution of 720x480 to 848x480, as taught by Fujimoto, to obtain the method Sawada modified by Fujimoto, because it would result in image display high quality and high fidelity to aspect ratio 16:9; therefore, the user can view superior display in high-definition/ extended-definition TV applications , and theatrical applications. Note Sawada discloses the method comprises enabling said monitor whether it has a display resolution of 800x600 pixels and if said monitor has the display resolution mode of 800 x 600 pixels ( **method steps S1 and S2 as shown in figure 5, using display mode detector 15 as shown in figure 1** ). In response to Applicant's argument, the examiner notes that primary reference Sawada in addition to teaching flow chart 5 as to SVGA mode ( **800x600 resolution or 1024x768 resolution** ), also teaches FLC display receiving input signal from a personal computer ( column 3, lines 38-48, column 4, lines 44-58 , therefore **resolution 800x600 is taught for a computer display monitor as claimed** ). Note that field of TV monitor and computer monitor are analogous arts. Therefore, the ground of rejection is maintained.

5. As to **claim 24**, Sawada discloses an image processing system ( column 2, lines 40-49, column 3, lines 34-40) wherein the system has a computer display monitor with at least a display resolution

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mode of 800x 600 pixels ( **display unit 4** as shown in figure 1, **SVGA mode**, column 4, lines 46-54) , the system is enabled to process an image ( column 3, lines 45-48 ) . However, Sawada fails to expressly teach image with a 720x480 image resolution stored on a DVD. Fujimoto discloses processing system ( **image display control apparatus 300** as shown in figure 1) of image stored on a DVD ( **DVD ROM drive 101**, column 5, lines 27-30) with 720x 480 image resolution ( column 8, lines 14-18) so as to have the monitor display the image with an image resolution of  $X \times 480$  and  $X$  is an integer being one of  $X$  substantially equals 800 and  $X$  substantially equals 852 ( **final resolution is 848 x 480, integer X is 848**, column 8, lines 36-37 ) . Note that Fujimoto also teaches **image processing for aspect ratio 4:3** ( refer to figure 1, unit 300 ) and **Sawada already discloses SVGA mode 800x600** ( which denotes aspect ratio 4:3). It would have been obvious to a person of ordinary skill at the time of the invention to utilize the apparatus of Sawada and implement the image processing technique of converting resolution of 720x480 to 848x480, as taught by Fujimoto, to obtain the apparatus Sawada modified by Fujimoto, because **it would result in image display high quality and high fidelity to aspect ratio 16:9; therefore, the user can view superior display in high-definition/ extended-definition TV applications**. In response to Applicant's **argument note the same examiner response in claim 23**. Therefore, the ground of rejection is maintained.

6. As to **claim 25**, note the same citation for claim 24. Sawada modified by Fujimoto further discloses a DVD player ( see Fujimoto, **DVD drive 101** as shown in figure 1, column 5, lines 15-26). Therefore, the ground of rejection is maintained.

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7. As to **claim 26**, note the same citation for claim 24. Sawada modified by Fujimoto further discloses the DVD player being enabled to determine a pixel format of an image stored on the DVD ( see Fujimoto, column 5, lines 28-45, column 6, lines 15-17) and the system is enabled to interrogate the monitor about a display capability ( see Sawada, **display mode detector** 15, column 3, lines 49-53). Therefore, the ground of rejection is maintained.

*Response to Arguments*

8. Applicant's arguments filed 8/06/2001 have been fully considered but they are not persuasive. Applicant's argument as to absence of teaching/suggestion to combine the two references is not valid because "the suggestion to modify the art need not be expressly stated in the references. *Goodrich; Pro-Mold*. The test is simply whether the prior art would have rendered the claimed invention obvious to one of ordinary skill in the art". *In Re Napier*, 55 F.3d 610, 613 [ 34 USPQ2d1782] ( Fed. Cir. 1995). Note that primary reference Sawada in addition to teaching flow chart 5 as to SVGA mode (**800x600 resolution or 1024x768 resolution**), also teaches FLC display receiving input signal from **a personal computer** ( column 3, lines 38-48, column 4, lines 44-58 , therefore **resolution 800x600 is taught for a computer display monitor as claimed**). Note that field of TV monitor and computer monitor are analogous arts.

Therefore, the ground of rejection is maintained.

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9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Francis Nguyen** ( 8:00AM to 4:30PM) whose telephone number is **(703) 308-8858**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 ( for Technology Center 2600 only)**

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
Francis Nguyen

December 6th, 2001



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600